

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

THOMAS KELLEY,	CIVIL ACTION NO.: 05 10596 NMG
Plaintiff,	)
	)
VS.	)
	)
TOWN OF PLYMOUTH and	)
ROBERT J. POMEROY, as Chief of the	)
Plymouth Police Department and	)
Individually,	)
Defendants.	)

**DEFENDANTS' OPPOSITION TO JOINT MOTION TO ORDER  
INSPECTOR GENERAL TO PRODUCE AFFIDAVIT AND ISSUE  
PROTECTIVE ORDER**

Now come the Defendants in the above-captioned matter, and hereby object to the Joint Motion filed by the Plaintiff and the Inspector General's Office ("IG"). (Document 49).

As reasons therefore, the Defendants state that they did not agree nor were they consulted on any agreement for a protective order between the Plaintiff and the IG's office pertaining to any document requested by the Plaintiff. Further, the Defendants will be seeking information relating to the Plaintiff's meeting with the IG's office, which allegedly forms the basis for the Plaintiff's allegation in his complaint that he is a whistleblower and was retaliated against by the Defendants. By allowing said "joint motion" submitted by the Plaintiff and IG, the Defendants may be considered to have agreed to the proposed non-disclosure agreement and thus, waived any right to requesting or seeking information from the IG. To prohibit the Defendants from seeking information from the IG would effectively chill their ability to seek discoverable information in this case.

Respectfully submitted,  
DEFENDANTS,  
ROBERT J. POMEROY and the  
TOWN OF PLYMOUTH,  
By their attorneys,

/s/ Jeremy I. Silverfine  
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Dated: 2-12-07